

REMARKS

This reply is submitted pursuant to 35 U.S.C. §132 and 37 C.F.R. §1.111. The Office Action was carefully considered by applicant and undersigned attorney. Reconsideration is respectfully requested.

As the Office Action was "Final", this reply is submitted under the provisions of 37 C.F.R. §§1.113 and 116. It is believed that the amendment will require only a cursory review by the Examiner and such amendment clearly places the application in a condition for allowance. In the event that the Examiner should not find the application in a condition for allowance, the amendment is believed to remove issues for appeal and should accordingly be entered.

1. Summary of the Office Action.

The drawings were objected to.

The office action identified claims 1, 5-10 and 13 were pending.

Claims 1, 5-10 and 13 stand rejected under 35 U.S.C §112, first paragraph.

2. Discussion.

Preliminary Matters

Claim 14. Applicant notes that new claim 14 presented in the prior Reply is not noted as pending. Applicant requests the Examiner note that claim 14 is pending on the record and identify its status.

Applicant notes with thanks that the remaining claims, 1, 5-10 and 13, as previously presented, are free from art rejections.

Drawing Objections

The amended drawing received on 20 October 29 was objected to based on new matter and because the boundary line noted by the examiner. Applicant submits a further amended drawing on the sheet labeled "REPLACEMENT DRAWING". Regarding the objection based on new matter, applicant respectfully traverses the objection. The addition of cross hatching in the skirt 18 from its based 28 to the line of the curved portion as suggested by the examiner in the 3rd office action is fully supported by the disclosure as originally filed. Original claim 4 clearly disclosed that "[T]he spool and the skirt are integral with one another." As is discussed more fully below, applicant asserts that integral is synonymous with homogeneous. The first amendment of the drawing to add additional cross hatching was made by applicant solely because required it for proper "showing" with respect to claim 4 (and claim 1 as twice amended to recite this integral structure) under 37 CFR 1.83(a). Regarding the objection based on the continued existence of the boundary line, this second amendment removes the boundary line. Applicant submits that the drawing fulfills the examiner's suggestions, clearly shows the claimed invention, and is fully

supported by the original disclosure and does not include new matter. Withdrawal of the objections is respectfully requested.

Claim Rejections - 35 USC §112, First Paragraph

Claims 1, 5-10 and 13. These claims were rejected under 35 USC §112, first paragraph, on grounds of new matter. Applicant respectfully disagrees with the Examiner's position that the originally filed disclosure provides inadequate support for the term "homogeneous" in the element of claim 1, "wherein the skirt is carried by and formed integrally and homogeneously with the spool".

Applicant's attorney recalls that the Examiner suggested that the term "homogeneously" be added to the claim during a the telephonic Examiner Interview held on July 2, 2008.. The purpose of the addition was that the combination of the term "homogeneously" with "integrally" clarified that the skirt and the spool are a one piece structure.

Applicant contends the examiner's suggestion was correct. The addition of the term "homogeneously," although not specifically present in the originally filed specification or claims, does not constitute new matter because it merely rephrases the claim. A change that only rephrases a claim or a portion of the specification does not constitute new matter, provided that the original meaning is retained. Here, the meaning is that the skirt and spool are one piece.

Withdrawal of the rejection is respectfully requested.

3. Conclusion.

The pending claims are believed to be patentable for the reasons stated above. Reconsideration and favorable action are respectfully requested.

Should the Examiner believe that telephone communication would advance the prosecution of this case to finality, she is invited to call at the number below.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time under 37 CFR 1.136(a), provided a Petition is not submitted separately.

Please charge any fee due not paid by a check or credit card provided herewith, and/or charge any underpayment in any fee, and/or credit any overpayment in fee, to Deposit Account No. 19-2381.